



Daily Digest

Federal Communications Commission
445 12th St., SW
Washington, D.C. 20554

News media information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 202/418-2555

Vol. 22 No. 209

November 3, 2003

THE FOLLOWING ITEMS ARE DATED AND RELEASED TODAY:

NEWS RELEASES

FCC PROPOSES TO FINE AT&T CORPORATION \$780,000 FOR APPARENT VIOLATIONS OF DO-NOT-CALL RULES. News Release. News Media Contact: Suzanne Tetreault at (202) 418-7450, TTY: 1(888) 835-5322 EB. Contact Kurt Schroeder at (202) 418-0966 [DOC-240617A1.doc](#) [DOC-240617A1.pdf](#) [DOC-240617A1.txt](#)

STATEMENT OF FCC CHAIRMAN MICHAEL K. POWELL REGARDING FCC ENFORCEMENT ACTION ON DO-NOT-CALL RULES. STMT. News Media Contact: David Fiske at (202) 418-0513; Richard Diamond at (202) 418-0506 OCH [DOC-240670A1.doc](#) [DOC-240670A1.pdf](#) [DOC-240670A1.txt](#)

STATEMENT OF ENFORCEMENT BUREAU CHIEF DAVID H. SOLOMON ON \$1.2 MILLION CONSENT DECREE REGARDING ALLEGEDLY MISLEADING TELEMARTETING CAMPAIGN BY LONG DISTANCE CARRIER NOS COMMUNICATIONS, INC. News Release EB. Contact Suzanne Tetreault at (202) 418-7450, email: Suzanne.Tetreault@fcc.gov [DOC-240635A1.doc](#) [DOC-240635A1.pdf](#) [DOC-240635A1.txt](#)

PUBLIC NOTICES

Report No: 45604 Released: 11/03/2003. BROADCAST ACTIONS. MB [DOC-240581A1.txt](#) [DOC-240581A1.pdf](#)

Report No: 25604 Released: 11/03/2003. BROADCAST APPLICATIONS. MB [DOC-240583A1.txt](#) [DOC-240583A1.pdf](#)

Released: 11/03/2003. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG. WCB [DOC-240663A1.pdf](#) [DOC-240663A1.txt](#)

Released: 11/03/2003. NOTICE OF STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED. (DA No. 03-3512). WCB. Contact: Tracey Wilson at (202) 418-1394 or Julie Veach at (202) 418-1558 [DA-03-3512A1.doc](#) [DA-03-3512A1.pdf](#) [DA-03-3512A1.txt](#)

Released: 11/03/2003. WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES THAT APPLICATIONS FOR UPPER AND LOWER PAGING BANDS ARE ACCEPTED FOR FILING. (DA No. 03-3506) Auction No. 48. WTB. Contact: Evan Baranoff or Michael Connelly at (202) 418-0620, for technical support: Bettye Woodward at (202) 418-1345 [DA-03-3506A1.doc](#) [DA-03-3506A2.xls](#) [DA-03-3506A3.doc](#) [DA-03-3506A4.doc](#) [DA-03-3506A1.pdf](#) [DA-03-3506A2.pdf](#) [DA-03-3506A3.pdf](#) [DA-03-3506A4.pdf](#) [DA-03-3506A1.txt](#) [DA-03-3506A2.txt](#) [DA-03-3506A3.txt](#) [DA-03-3506A4.txt](#)

TEXTS

ONESTAR. Granted the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3451). CGB [DA-03-3451A1.doc](#) [DA-03-3451A1.pdf](#) [DA-03-3451A1.txt](#)

TALK AMERICA. Denied the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3448). CGB [DA-03-3448A1.doc](#) [DA-03-3448A1.pdf](#) [DA-03-3448A1.txt](#)

UKI COMMUNICATIONS, INC. Granted the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3447). CGB [DA-03-3447A1.doc](#) [DA-03-3447A1.pdf](#) [DA-03-3447A1.txt](#)

BETTERWORLD TELECOM, INC. Granted the complaints regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3449). CGB [DA-03-3449A1.doc](#) [DA-03-3449A1.pdf](#) [DA-03-3449A1.txt](#)

DIRECT ONE COMMUNICATIONS. Resolved the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3444). CGB [DA-03-3444A1.doc](#) [DA-03-3444A1.pdf](#) [DA-03-3444A1.txt](#)

EMERITUS COMMUNICATIONS, INC. Granted the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3445). CGB [DA-03-3445A1.doc](#) [DA-03-3445A1.pdf](#) [DA-03-3445A1.txt](#)

SPRINT COMMUNICATIONS COMPANY, LP. Resolved the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3452). CGB [DA-03-3452A1.doc](#) [DA-03-3452A1.pdf](#) [DA-03-3452A1.txt](#)

LONG DISTANCE CONSOLIDATED BILLING CO. Granted the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3450). CGB [DA-03-3450A1.doc](#) [DA-03-3450A1.pdf](#) [DA-03-3450A1.txt](#)

WORLD COMMUNICATION SATELLITE SYSTEMS, INC. Granted the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3446). CGB [DA-03-3446A1.doc](#) [DA-03-3446A1.pdf](#) [DA-03-3446A1.txt](#)

PRIMUS TELECOMMUNICATIONS GROUP D/B/A LEAST COST ROUTING. Denied the complaint regarding unauthorized change of subscriber's telecommunications carrier. Action by: Acting Deputy Chief, Policy Division, Consumer & Governmental Affairs Bureau. Adopted: 10/28/2003 by ORDER. (DA No. 03-3453). CGB [DA-03-3453A1.doc](#) [DA-03-3453A1.pdf](#) [DA-03-3453A1.txt](#)

AT&T CORPORATION. Notified AT&T Corporation of its Apparent Liability for Forfeiture in the amount of \$780,000 for repeated violations of the Commission's Do-Not-Call rules. Action by: the Commission. Adopted: 10/30/2003 by NALF. (FCC No. 03-267). EB [FCC-03-267A1.doc](#) [FCC-03-267A1.pdf](#) [FCC-03-267A1.txt](#)

DANIEL CLEPHAR. Issued a monetary forfeiture in the amount of \$10,000 to Daniel Clephar for operating a radio station on the frequency of 92.7 MHz in Orlando, FL without Commission authorization. Action by: Chief, Enforcement Bureau. Adopted: 10/31/2003 by Forfeiture Order. (DA No. 03-3497). EB [DA-03-3497A1.doc](#) [DA-03-3497A1.pdf](#) [DA-03-3497A1.txt](#)

FAMILY STATIONS INC. Granted, in part, and denied, in part, KFTL's petition to include cable communities in the San Francisco DMA for must carry purposes. Action by: Deputy Chief, Policy Division, Media Bureau. Adopted: 10/30/2003 by MO&O. (DA No. 03-3501). MB [DA-03-3501A1.doc](#) [DA-03-3501A1.pdf](#) [DA-03-3501A1.txt](#)

ST. JOHN CENTRAL SCHOOL, MARIETTA, OH. Denied the Request for Review to consider application as timely filed within the filing window. (Dkt No. 02-6). Action by: Deputy Chief, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3477). WCB [DA-03-3477A1.doc](#) [DA-03-3477A1.pdf](#) [DA-03-3477A1.txt](#)

ST. JOHN VIANNEY HIGH SCHOOL, HOLMDEL, NJ. Granted the Request for Review and remanded the matter to SLD for further processing. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3474). WCB [DA-03-3474A1.doc](#) [DA-03-3474A1.pdf](#) [DA-03-3474A1.txt](#)

MAGEN DAVID YESHIVA, BROOKLYN, NY. Denied the Request for Review and affirmed SLD's decision to deny funding for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3468). WCB [DA-03-3468A1.doc](#) [DA-03-3468A1.pdf](#) [DA-03-3468A1.txt](#)

ROSELLE CATHOLIC HIGH SCHOOL, ROSELLE, NJ. Denied the Request for Waiver to consider application as timely filed within the filing window. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3473). WCB [DA-03-3473A1.doc](#) [DA-03-3473A1.pdf](#) [DA-03-3473A1.txt](#)

PROSPECT SIERRA SCHOOL, EL CERRITO, CA. Denied the Request for Review and affirmed SLD's decision to deny Prospect Sierra's waiver request. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3472). WCB [DA-03-3472A1.doc](#) [DA-03-3472A1.pdf](#) [DA-03-3472A1.txt](#)

PITTSYLVANIA COUNTY SCHOOLS, CHATHAM, VA. Granted the Request for Waiver of the September 30 deadline for installation of non-recurring services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3471). WCB [DA-03-3471A1.doc](#) [DA-03-3471A1.pdf](#) [DA-03-3471A1.txt](#)

SYRACUSE-DUNBAR-AVOCA SCHOOL DISTRICT, SYRACUSE, NE. Denied the Request for Waiver to consider application as timely filed within the filing window. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3475). WCB [DA-03-3475A1.doc](#) [DA-03-3475A1.pdf](#) [DA-03-3475A1.txt](#)

UTICA CITY SCHOOL DISTRICT, UTICA, NY. Denied the Request for Review and affirmed SLD's decision to deny Utica's application for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3476). WCB [DA-03-3476A1.doc](#) [DA-03-3476A1.pdf](#) [DA-03-3476A1.txt](#)

NORTHWEST TRI-COUNTY INTERMEDIATE UNIT, EDINBORO, PA. Granted the Request for Review and remanded Northwest's application to SLD for further processing. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3469). WCB [DA-03-3469A1.doc](#) [DA-03-3469A1.pdf](#) [DA-03-3469A1.txt](#)

DICKEY LAMOURE MULTIDISTRICT SPECIAL EDUCATION, LAMOURE, ND. Denied the Request for Review and affirmed SLD's decision to deny funding for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3463). WCB [DA-03-3463A1.doc](#) [DA-03-3463A1.pdf](#) [DA-03-3463A1.txt](#)

HUGHESVILLE PUBLIC LIBRARY, HUGHESVILLE, PA. Denied the Request for Review and affirmed SLD's decision to deny Hughesville's application for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3467). WCB [DA-03-3467A1.doc](#) [DA-03-3467A1.pdf](#) [DA-03-3467A1.txt](#)

HIGHLAND SCHOOL DISTRICT NO. 305, CRAIGMONT, ID. Denied the Request for Review and affirmed SLD's decision to deny Highland's application for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3466). WCB [DA-03-3466A1.doc](#) [DA-03-3466A1.pdf](#) [DA-03-3466A1.txt](#)

GRAIN VALLEY R-5 SCHOOL DISTRICT, GRAIN VALLEY, MO. Denied the Request for Review and affirmed SLD's decision to deny Grain Valley's application for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3465). WCB [DA-03-3465A1.doc](#) [DA-03-3465A1.pdf](#) [DA-03-3465A1.txt](#)

OKLAHOMA CITY SCHOOL DISTRICT I-89, OKLAHOMA CITY, OK. Denied the Request for Review and Affirmed SLD's decision to deny Oklahoma City's application for discounted services. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3470). WCB [DA-03-3470A1.doc](#) [DA-03-3470A1.pdf](#) [DA-03-3470A1.txt](#)

EDUCATION SERVICE CENTER REGION 12, WACO, TX. Granted the Request for Review filed by Education Service Center Region 12, Waco, TX, and remanded to SLD for further processing. (Dkt No. 02-6). Action by: Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3464). WCB [DA-03-3464A1.doc](#) [DA-03-3464A1.pdf](#) [DA-03-3464A1.txt](#)

SERVICE RULES FOR THE 746-764 AND 776-794 MHZ BANDS, AND REVISIONS TO PART 27 OF THE COMMISSION'S RULES. Second Order on Reconsideration of the Third Report and Order. (Dkt No. 98-120, 00-39, 99-168). Action by: the Commission. Adopted: 10/02/2003 by RECON. (FCC No. 03-236). WTB [FCC-03-236A1.doc](#) [FCC-03-236A2.doc](#) [FCC-03-236A1.pdf](#) [FCC-03-236A2.pdf](#) [FCC-03-236A1.txt](#) [FCC-03-236A2.txt](#)

ADDENDA: THE FOLLOWING ITEMS, RELEASED OCTOBER 31, 2003, DID NOT APPEAR IN DIGEST NO. 208:

PUBLIC NOTICES

Report No: SAT-00176 Released: 10/31/2003. POLICY BRANCH INFORMATION Accepted for Filing. IB.
Contact: (202) 418-0719, TTY: (202) 418-2555 [DOC-240633A1.pdf](#) [DOC-240633A1.txt](#)

Released: 10/31/2003. FURTHER COMMENT REQUESTED IN INVESTIGATION OF ALASCOM, INC.
TARIFF FCC NO. 11. (DA No. 03-3508). (Dkt No 95-182) PLEADING CYCLE ESTABLISHED. Comments
Due: 12/15/2003. Reply Comments Due: 01/09/2004. WCB. Contact: Julie Saulnier at (202) 418-1530 [DA-03-3508A1.doc](#) [DA-03-3508A1.pdf](#) [DA-03-3508A1.txt](#)

TEXTS

SECOND PERIODIC REVIEW OF THE COMMISSION'S RULES AND POLICIES AFFECTING THE
CONVERSION TO DIGITAL TELEVISION. Granted South Texas Public Broadcasting System, Inc., Washburn
University of Topeka, and WQED Multimedia temporary waivers of DTV simulcast requirements. (Dkt No. 03-
15). Action by: Chief, Media Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3507). MB [DA-03-3507A1.doc](#) [DA-03-3507A1.pdf](#) [DA-03-3507A1.txt](#)

THE PUBLIC UTILITY COMMISSION OF TEXAS, TELEPORT COMMUNICATIONS GROUP, INC., AND
CITY OF ABILENE, TX. Granted the request by Southwestern Bell Telephone, L.P.'s for Permission to
Withdraw Without Prejudice its Petition for Partial Reconsideration and dismiss as moot SWBT's Motion for
Administrative Stay and terminate the proceedings. Action by: Senior Deputy Chief, Wireline Competition
Bureau. Adopted: 10/31/2003 by ORDER. (DA No. 03-3500). WCB [DA-03-3500A1.doc](#) [DA-03-3500A1.pdf](#)
[DA-03-3500A1.txt](#)